

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
UNITED STATES OF AMERICA :  
 : 18-cr-676-2 (JSR)  
 -v- :  
 : MEMORANDUM ORDER  
MALAMIN JAGANA, :  
 :  
 Defendant. :  
 :  
-----X

JED S. RAKOFF, U.S.D.J.

Now before the Court is defendant Malamin Jagana's motion seeking a recommendation for 12 months' community corrections center placement. ECF No. 101. The Government takes no position on the motion. Jagana concedes that the Court lacks jurisdiction to compel the Bureau of Prisons to make such a placement. See id. at 2 n.2 (quoting United States v. Pineyro, 112 F.3d 43, 45 (2d Cir. 1997)).

The Court declines to make a recommendation on this issue one way or the other, leaving the Bureau of Prisons free to make such a placement or not, in its discretion.

Dated: New York, NY  
August 20, 2020

  
JED S. RAKOFF, U.S.D.J.